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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/734,519

12/12/2003

Norberto Julio Chirkes

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7590

12/16/2005

PEARNE & GORDON LLP

1801 EAST 9TH STREET

SUITE 1200

CLEVELAND, OH 44114-3108

EXAMINER

GILMAN, ALEXANDER

ART UNIT

PAPER NUMBER

2833

DATE MAILED: 12/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/734,519

Applicant(s)

CHIRKES, NORBERTO JULIO

Examiner

Alexander D. Gilman

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 8, 9, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hatton in view of Takeichi et al.

With regard to claims 1, 8, 9, Hatton discloses a compact fuse holder (Fig. 5, 4) for an automobile which comprises:

a small plate (410) including at least two protective circuits, each one of them comprises a resettable fuse (430) connected to two terminals, being each pair of terminals of each of the protective devices connected to a light signal generating circuit, wherein each protective circuit presents two input and output connectors, and such each pair of terminals are additionally connected to a sole second light signal (r.n.370, connected to a visual tester).

Hatton explicitly does not disclose that fuse (430) consisting in a positive temperature coefficient element (PTC). Hatton also does not disclose a polymeric material.

Takeichi et al (US 5,712,610) disclose (Fig. 3b) fuse consisting in a positive temperature coefficient element and a polymeric material (11)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use PTC in the device with a polymeric covering, as taught by Takeichi et al, to utilize advantages of the resettable fuse of new technology and prevent flowing out the protective device (Takeichi et al, col. 7, lines 21-25)

With regard to claim 10, Hatton when modified by Takeichi et al discloses that input and output connectors are male or female connectors (since just these two types of connector can be used

Art Unit: 2833

for connecting with fuse)

Claims 2, 4, 5, 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hatton in view of Takeichi et al as applied to claim 1 above, and further in view of Dohi et al.

With regard to claim 2, Hatton when modified by Takeichi et al discloses all of the limitations except for explicitly suggesting permanent disposing the sole second light signal on the small plate.

Dohi et al (US 4,782,301) disclose permanent disposing the sole second light signal (39) on the small plate

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to permanently dispose the sole second light signal on the small plate, as taught by Limoge et al, to operatively evaluate status of the fuses.

With regard to claims 4-6, Hatton when modified by Takeichi et al and Dohi et al discloses (Hatton) audible signal generating circuit (360, buzzer) located on the small plate.

Claims 3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hatton in view of Takeichi et al

Hatton when modified by Takeichi et al and Dohi et al discloses all of the limitations as applied to respective claims 1, 2 above, except for the sole second light signal being installed in the vehicle dashboard

It would have been obvious to one having ordinary skill in the art at the time the invention was made to locate the single light on the dashboard, since it has been held that rearranging parts of an invention involves only routine skill in the art. In re Japikse, 86 USPQ 70.

#### ***Response to Arguments***

Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 2833

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander D. Gilman whose telephone number is 571 272-2004. The examiner can normally be reached on Monday-Friday, 10:30 a.m. - 8:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571 272-2800 ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

12/05/2005

A handwritten signature in black ink that reads "Alex Gilman". The signature is written in a cursive, flowing style.

**ALEXANDER GILMAN  
PRIMARY EXAMINER**